

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
NO. 4:10-CR-79-BO

UNITED STATES OF AMERICA)
)
 v.)
)
CALVIN COLWETH GARNER, JR.)

FINAL ORDER OF FORFEITURE

WHEREAS, on June 20, 2011, this Court entered a Preliminary Order of Forfeiture pursuant to the provisions of 21 U.S.C. § 853 and 18 U.S.C. § 982, based upon the defendant pleading guilty to Counts One and Four of the Criminal Indictment, and the defendant having executed Waivers of Interest as to the subject personal property listed in the June 20, 2011 Preliminary Order of Forfeiture;

AND WHEREAS, the United States published notice of this forfeiture at the www.forfeiture.gov web site for at least 30 consecutive days, between August 8, 2012 and September 6, 2012, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty of Maritime Claims and Asset Forfeiture Actions, and said published notice advised all third parties of their right to petition the court within sixty (60) days from the first day of the publication date for a hearing to adjudicate the validity of their alleged legal interest in the forfeited property;

AND WHEREAS, service of the Court's June 20, 2011 Preliminary Order of Forfeiture was effected upon potential petitioners, Wilson Prather Higgins and Betty Woodworth Higgins, via certified mail on August 10, 2012 (Doc. #70 and Doc. #71);

AND WHEREAS, service of the Court's June 20, 2011 Preliminary Order of Forfeiture was effected upon potential petitioner, Demetria Lynette Rosser, via personal service on August 8, 2012 (Doc. #72);

AND WHEREAS, examination of the Court files and records shows that the defendant personal properties were served on September 17 and 24, 2012 (Doc. #73, Doc. #74, Doc. #75, Doc. #76, and Doc. #77);

AND WHEREAS, it appears from the record that no claims, contested or otherwise, have been filed for the subject personal properties described in this Court's June 20, 2011 Preliminary Order of Forfeiture, other than those specifically mentioned herein;

It is HEREBY ORDERED, ADJUDGED and DECREED:

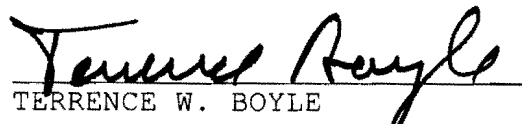
1. That the subject personal properties described in this Court's June 20, 2011 Preliminary Order of Forfeiture are hereby forfeited to the United States, to wit, (a) a 2003 H2 Hummer, VIN: 5GRGN23U53H138616; (b) a 1994 Fleetwood Coronado Recreational Vehicle, VIN: 1GBKP37N6R3310404; (c) a Taylor 260P

Bronco Propane Stripper Machine, from L. Fishman & Son, Inc.;
(d) a Monte Carlo, VIN: 1G1GZ37G7GR16722; (e) a 2004 Ford,
F-150, VIN: 1FTPW145X4KA75162. That the United States
Department of Treasury is directed to dispose of the personal
properties according to law, including destruction.

2. That any and all forfeited funds shall be
deposited by the United States Department of Treasury as soon as
located or recovered into the Department of Treasury's Assets
Forfeiture Fund in accordance with 28 U.S.C. § 524(c) and
21 U.S.C. § 881(e).

The Clerk is hereby directed to send copies of this Order
to all counsel of record.

SO ORDERED this 10 day of December 2012.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE